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To: Lesa M. Kennedy GAU: 2151	Facsimile No.: 703-872-9306 Main No. of Receiving Firm: 703-305-3900
From: Betty Formby	No. of Pages Including Cover Sheet: 3
Message:	
C/M FR9-99-001, Serial No. 09/515,780	
DATE: August 30, 2004	
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PTOL-413A (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request FormApplication No.: 09/515,780 First Named Applicant: Daude et al.Examiner: Lesa M. Kennedy Art Unit: 2151 Status of Application: 2nd non-final rejection
Tentative Participants:(1) Betty Formby (2) Lesa M. Kennedy

(3) _____ (4) _____

Proposed Date of Interview: TBA Proposed Time: _____ (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video ConferenceExhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues Claims/ (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>103</u>	<u>Claim 1</u>	<u>Law, Caccavale, and Welter</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached Proposed claim amendment attached

Brief Description of Arguments to be Presented:

None of the references show capturing the time for accessing a site through several firewall servers (i.e., total time including network time) and selecting one firewall server to use. Law is cited for this, but does not show it; the other references do not supply the deficiencies. See attached page for claim amendments to further clarify.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Proposed amendment to Claim 1:

1. (Currently amended) A method for dynamically selecting a firewall server for a web client, in particular a web browser, in a Transmission Control Protocol/Internet Protocol (TCP/IP) network comprising a plurality of firewall servers, said method comprising the steps of:

measuring performance and availability of each firewall server using measurement probes, ~~wherein the step of measuring the performance and availability of each firewall server using measurement probes comprises the further step of including~~ measuring the total response time needed for retrieving from a web server known information, in particular one or a plurality of known web pages, through each firewall server and wherein the step of measuring the total response time comprises the further steps, for each firewall server, of:

starting timing for a given one of said plurality of firewall servers;

establishing a connection with the web server through ~~each firewall server~~ said given one;

retrieving the one or a plurality of known web pages from the web server;

[[and]]

checking that the retrieved one or plurality of web pages contain one or a plurality of known keywords; and

stopping timing for said given one of said plurality of firewall servers; and

dynamically selecting a firewall server according to the performance and availability measurements.